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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,102	06/14/2000	Paul Andrew Moskowitz	YOR9-2000-0273(1963-4981)	7712

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EXAMINER	
LE, DANH C	
ART UNIT	**PAPER NUMBER**
2683	

DATE MAILED: 05/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/594,102	MOSKOWITZ ET AL.	
	Examiner	Art Unit	
	DANH C LE	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 November 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-23,29,31,33,34,39 and 40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-22,29,31,33,34,39 and 40* is/are rejected.

7)☒ Claim(s) *23* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims are rejected under 35 U.S.C. 102(e) as being anticiapted by Hofmann (US 6,418,372).**

As to claim 1, Hofmann teaches a method for providing directions (figure 6), comprising:

receiving at a server (col.9, lines 45-55) from at least one fixed wireless communication device information identifying a current location of a portable communication device (figure 1, 30) having short range wireless communication capability, the at least one fixed wireless communication device (20n) located within a building;

identifying a direction of movement to be communicated to the portable communication device to direct it towards a destination within the building (col.3, lines 32-38); and

transmitting the direction of movement to the portable communication device from the server via a fixed wireless communication device (figure 6, col.7, line 54-col.8, line 42).

As to claim 3, Hofmann teaches the method of claim 1, wherein the transmitting is in accordance with one of a Bluetooth specification and an Infrared Data Association (IRDA) specification (figure 1).

As to claim 5, Hofmann teaches the method of claim 1, further comprising: defining multiple regions within which a direction of movement of the portable communication device can be detected (figure 1).

As to claim 7, Hofmann teaches the method of claim 1, wherein the portable communication device is one of a cellular phone, a personal digital assistant, or a portable computer.

As to claim 8, Hofmann teaches the method of claim 1, further comprising: accessing a map database (col.1, lines 35-52).

As to claim 9, Hofmann teaches the method of claim 1, further comprising: accessing a pre-plotted direction database (col.6, lines 34-56).

As to claim 10, Hofmann teaches the method of claim 1, further comprising: accessing an alternate direction database (col.6, lines 34-56).

As to claim 13, Hofmann teaches the method of claim 12, wherein the receiving the identification includes receiving a signal from one of a multiple of sensors (figure 1).

As to claim 14, Hofmann teaches the method of claim 12, wherein the receiving the identification includes receiving a signal from a network (col.9, lines 54-55).

As to claim 15, Hofmann teaches the method of claim 1, further comprising: tracking the direction of movement of the portable communication device relative to the destination (col.3, lines 38-col.4, line 8).

As to claim 16, Hofmann teaches the method of claim 15, further comprising: recording tracking information representing the movement of the portable communication device relative to the destination (col.3, lines 38-col.4, line 8).

As to claim 17, Hofmann teaches the method of claim 15, further comprising determining whether a movement of the portable communication device is towards the destination (col.6, lines 34-56).

As to claim 18, Hofmann teaches the method of claim 17, wherein, when the movement is not towards the destination, the method includes providing new directions (col.6, lines 34-56).

As to claim 19, Hofmann teaches the method of claim 1, further comprising: receiving information requesting an alternate route (col.6, lines 34-56).

As to claim 20, Hofmann teaches the method of claim 19, further comprising: determining an alternate route for the portable communication device based on a current location (col.6, lines 34-56).

As to claim 21, Hofmann teaches the method of claim 19, further comprising: determining an alternate route based upon an intended destination (col.6, lines 34-56).

As to claim 22, Hofmann teaches the method of claim 1, further comprising: receiving adaptive route calculation information (figure 5).

As to cliam 39, Hofmann teaches a method for providing directions (figure 1), comprising: determining a current location of a portable communication device based on presence of the portable communication device (30) within a reception range of a fixed wireless communication transceiver (20n);

receiving information identifying the current location of the portable communication device;

identifying a direction of movement to be communicated to the portable communication device to direct it towards a destination; and

transmitting the direction of movement to the portable communication device (figure 7).

As to claim 40, Hofmann teaches the method of claim 39, wherein the fixed wireless communication device is located within 'a building and the destination is within the building.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hofmann.**

As to claim 4, Hofmann teaches the method of claim 1, wherein the transmitting uses a short-range radio signal. Hofmann fails to teach a short range high frequency

radio signal. However, the examiner takes Official Notice that short range high frequency is known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of short range high frequency into the system of Hofmann in order to use in the noisy environment.

3. **Claims 6, 29, 31, 33, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hofmann in view of Morris (US 6,418,372).**

As to claim 6, Hofmann teaches the method of claim 1, Hofmann fails further teach comprising defining a piconet using multiple transceivers. Morris teaches a piconet using multiple transceivers (paragraph 26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Morris into the system of Hofmann in order to communicate with different networks.

As to claim 29, Hofmann teaches an apparatus for providing directions (figure 2, 20), comprising:

a memory;

a program stored in the memory; a processor in communication with the memory, and configured to execute the stored program such that the apparatus: receives information identifying a current location of a portable communication device having short range wireless communication capability; identifies a direction of movement to be communicated to the portable communication device to direct it towards a destination; and transmits the direction of movement to the portable communication device;

Hofmann fails to teach a piconet in communication with the processor, the piconet including multiple transceivers. Morris teaches a piconet in communication with the processor, the piconet including multiple transceivers (paragraph 26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Morris into the system of Hofmann in order to communicate with different networks.

As to claim 31, Hofmann teaches an apparatus of claim 29, wherein the device conforms with one of a Bluetooth specification and an Infi-ared Data Association (IRDA) specification (figure 1).

As to claim 33, Hofmann teaches an apparatus for providing directions (figure 2, 20), comprising:

a memory;

a program stored in the memory;

a processor in communication with the memory, and configured to execute the stored program such that the apparatus:

receives information identifying a current location of a portable communication device having short range wireless communication capability;

identifies a direction of movement to be communicated to the portable communication device to direct it towards a destination; and

transmits the direction of movement to the portable communication device;

Hofmann fails to teach a scatternet in communication with the processor. Morris teaches a scatternet in communication with the processor (paragraph 26). Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Morris into the system of Hofmann in order to communicate with different networks.

As to claim 34, Hofmann teaches the apparatus of claim 29, wherein the portable communication device is one of a cellular phone, a personal digital assistant, or a portable computer (PDA).

4. **Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hofmann in view of Shojima (US 6,259,990).**

As to claims 11 and 12, Hofmann teaches the method of claim 10, Hofmann fails to teach accessing the alternate direction database is a result of an obstruction and further comprising receiving an identification of a location of one of an emergency event and an obstruction. Morris teaches accessing the alternate direction database is a result of an obstruction and further comprising receiving an identification of a location of one of an emergency event and an obstruction (col.3, line 22-col.4, line 35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Shojima into the system of Hofmann in order to avoid the obstruction.

Allowable Subject Matter

Claim 23 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 23, the teaching of prior arts either alone or in combination fails to teach determining the altemate route using the adaptive route calculation information so as to account for an amount of people flow towards the destination.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 03, 2005
DANH CONG LE
PATENT EXAMINER